

J.C. Watts, Jr.
Chairman
4th District, Oklahoma

*House Meets at 12:30 p.m. for Morning Hour and
2:00 p.m. for Legislative Business
(No Votes Before 6:00 p.m.)*

Anticipated Floor Action:

- H.R. 576—Adding Martin Luther King Jr. Day to the “Flag Code”
H.R. 1791—Federal Law Enforcement Animal Protection Act
H.R. 1374—Designating the John K. Rafferty Hamilton Post Office
H.R. 2591—Designating the William H. Avery Post Office
H.R. 2460—Designating the Jay Hanna Dean Post Office
H.R. 2357—Designating the Louise Stokes Post Office
H.R. 643—Designating the Augustus F. Hawkins Post Office
H.Res. 303—Urging That 95 Percent of Federal Education Dollars Be Spent
In the Classroom
H.R. 1932—Father Theodore Hesburgh Congressional Gold Medal Act
H.R. 1615—Lamprey Wild and Scenic River Extension Act
H.R. 1665—Wilderness Battlefield Land Acquisition Act
H.R. 20—Upper Delaware Scenic and Recreational River Mongaup Visitor
Center Act
H.R. 748—Keweenaw National Historical Parks Advisory Commission Act
H.R. 3036—Restoring Motor Carrier Enforcement Authority to the Federal
Highway Administration
S. 800—Wireless Communications and Public Safety Act
H.R. 2130—Date Rape Prevention Drug Act



H.R. 576—Adding Martin Luther King Jr. Day to the “Flag Code”

Floor Situation: The House will consider H.R. 576 as its first order of business under the “corrections day” procedure. It is debatable for one hour, may be amended only by the chairman of the committee of jurisdiction, and requires a three-fifths majority vote for passage. House rules provide for one motion to recommit, with or without instructions.

Summary: The bill amends a section of U.S. Code referred to as the “Flag Code” to add the Martin Luther King Jr. holiday—observed the third Monday of January—to the list of days on which the flag should especially be displayed. It is the only federal holiday not listed in the Flag Code (Congress approved the holiday in 1983 but, due to an oversight, failed to add the holiday to the list). The bill encourages Americans to honor the nation’s greatest civil rights leader in the same way that other historic figures are remembered during federal holidays. CBO estimates that enactment will have no impact on the federal budget. The measure was introduced by Mr. Bentsen and was reported by the Judiciary Committee by voice vote on May 19, 1999.

Additional Information: See *Legislative Digest*, Vol. XXVIII, #29, October 8, 1999.



Bills Considered Under Suspension of the Rules

Floor Situation: The House will consider the following 15 bills under suspension of the rules today after it completes consideration of H.R. 576. Each is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

H.R. 1791—Federal Law Enforcement Animal Protection Act amends current law to establish a penalty of a fine of at least \$1,000 and up to one year in prison for willfully harming any police animal or conspiring to do so. If the offense disables, disfigures, or kills the animal, the measure establishes a penalty of a fine of at least \$1,000 and up to 10 years imprisonment. The bill defines “police animal” as a dog or horse employed by a federal agency to detect criminal activity, enforce laws, or apprehend offenders. Under current law, federal canines and horses are protected only by statutes regarding destruction of government property. If a police animal is assaulted or killed today, current law does not provide mandatory jail sentences; it offers the option of prison in lieu of paying a fine. To date, 27 states have passed law enforcement animal protection laws. CBO estimates that enactment will have no significant impact on the federal budget. The measure was introduced by Messrs. Weller, Rothman, and Chabot; the Judiciary Committee reported the bill by voice vote on September 22, 1999.

H.R. 1374 designates the post office located on 680 State Highway 130 in Hamilton, New Jersey, as the “John K. Rafferty Hamilton Post Office Building.” Mayor Rafferty became the first full-time mayor of Hamilton in 1976 and plans to serve in this capacity until the completion of this term early next year. He is the recipient of numerous awards, including the Young Men’s Christian Association Man of the Year award in 1992 and the New Jersey Conference of Mayors’ Mayor of the Year award in 1997. The bill was introduced by Mr. Smith (NJ) and was reported on September 30, 1999.

H.R. 2591 designates the post office located on 713 Elm Street in Wakefield, Kansas, as the “William H. Avery Post Office.” Mr. Avery was elected to the Kansas State House of Representatives and served from 1951 to 1955. He represented the people of Kansas in the U.S. Congress from 1955 to 1965. Mr. Avery was then elected as the 37th governor of Kansas, serving one term. He currently resides in Wakefield. The bill was introduced by Mr. Moran (KS) *et al.* and was reported by voice vote on September 30, 1999.

H.R. 2460 designates the post office located on 125 Border Avenue West in Wiggins, Mississippi, as the “Jay Hanna ‘Dizzy’ Dean Post Office.” Dizzy Dean was a baseball pitcher for the St. Louis Cardinals from 1930 to 1937, the Chicago Cubs from 1938 to 1941, and the St. Louis Browns in 1947. In 1934, he won 30 games for the Cardinals, leading the team to a World Series victory. After an injury cut short his career, Mr. Dean became a baseball telecaster and then hosted a weekly national television program featuring the Major League Baseball Game of the Week. He was inducted into the Baseball Hall of Fame in 1953. The bill was introduced by Mr. Taylor *et al.* and was reported by voice vote on September 30, 1999.

H.R. 2357 designates the post office located at 3675 Warrensville Center Road in Shaker Heights, Ohio as the “Louise Stokes Post Office.” Mrs. Stokes learned the value of hard work as she did chores on her family farm. She later instilled her values in her sons and required them to find jobs and contribute to the family income. She taught her sons that education and hard work were the tickets to success. The boys took their mother’s advice. Louis Stokes graduated from Case Western Reserve and Cleveland Marshall Law School. He served as a civil rights attorney and in 1968 became the first black congressman from Ohio. Carl Stokes graduated from Marshall Law School. In 1968, he became the first black mayor of a major U.S. city. He later was appointed U.S. ambassador to Seychelles. Mrs. Stokes received several awards in her lifetime, including Cleveland’s Woman of the Year and the Ohio Mother of the Year award. The bill was introduced by Mr. Traficant and was reported by voice vote on September 30, 1999.

H.R. 643 designates the federal building located on 10301 South Compton Avenue in Los Angeles, California, currently known as the Watts Finance Office, as the “Augustus F. Hawkins Post Office Building.” Former Representative Hawkins served in the California State assembly from 1934 to 1963. He was elected to the 88th Congress and to 13 succeeding Congresses. Mr. Hawkins is remembered for sponsoring the 1978 Humphrey-Hawkins Full Employment and Balanced Growth Act, a bill to reduce unemployment and move ahead in job training. The bill was introduced by Ms. Millender-McDonald *et al.* and was reported by voice vote on September 30, 1999.

H.Res. 303—Urging That 95 Percent of Federal Education Dollars Be Spent In the Classroom expresses the sense of Congress urging the Department of Education, states, and local educational agencies to ensure that at least 95 percent of federal education funding is spent to improve the academic achievement of children in the classroom. States have reported that more than 50 percent of their paperwork and administration costs are associated with federal education funding, despite the fact that they receive less than 10 percent of their overall funding from the federal government. In FY 1998, the Education Department’s paperwork and data reporting requirements totaled 40 million “burden hours”—the equivalent of 19,300 people working 40 hours a week for one full year. The resolution was introduced by Mr. Pitts and was not considered by a House committee.

H.R. 1932—Presenting a Congressional Gold Medal to Father Theodore Hesburgh authorizes the president to present, on behalf of Congress, a gold medal to Father Theodore Hesburgh in recognition of his contributions to the nation. The bill authorizes up to \$30,000 to cover the cost of the medal. The bill also authorizes the Treasury Secretary to sell authentic bronze reproductions to recoup the cost of the

medal. A CBO cost estimate was unavailable at press time. The bill was introduced by Mr. Roemer *et al.* and was not reported by a House committee.

H.R. 1615—Lamprey Wild and Scenic River Extension Act amends the Wild and Scenic Rivers Act to include a 12-mile portion of the Lamprey River in Epping, New Hampshire in the Wild and Scenic River designation. In 1996, the Omnibus Parks and Public Lands Management Act designated 11.5 miles of the Lamprey River as “wild and scenic.” A study conducted in 1995 found that the 12-mile portion of the river designated under this bill qualifies as an addition to the Wild and Scenic River system. The town of Epping, New Hampshire has voted for the inclusion of the portion of the river into the system. The Lamprey River is home to numerous recreational activities, including fishing, kayaking, and camping. The bill was introduced by Mr. Sununu and was reported by the Resources Committee by voice vote on September 22.

H.R. 1665—Wilderness Battlefield Land Acquisition Act permits the National Park Service to obtain land by purchase, exchange, or donation for an addition to the Wilderness Battlefield in Virginia. Under current law (*P.L. 102-541*), the NPS may obtain land for the Wilderness Battlefield only by donation. Recently, private owners of three parcels of land totaling 725 acres within the Wilderness Battlefield have expressed a desire to sell their land. This bill allows the NPS to purchase this land. The bill was introduced Mr. Bateman and was reported by the Resources Committee by voice vote on September 22.

H.R. 20—Upper Delaware Scenic and Recreational River Mongaup Visitor Center Act authorizes the Interior Secretary to enter into a 99-year lease for state-owned land within the area known as the Upper Delaware Scenic and Recreational River in Mongaup, New York. It also requires the secretary to build and operate a visitor center within the area. The Upper Delaware Scenic and Recreational Area and its approved management plan was established in June 1993. At this time, the state of New York authorized a 99-year lease between the state Environmental Conservation Department and the National Park Service. Because the original authorization limits federal authority to acquire land, congressional approval is needed to provide funding to build and operate a visitor center on the leased land. The bill was introduced by Mr. Gilman and was reported by the Resources Committee by voice vote on September 22.

H.R. 748—Keweenaw National Historical Parks Advisory Commission Act amends the act that established the Keweenaw National Historical Park (*P.L. 102-543*) to require that the Interior Secretary *consider* nominees of local interest when appointing the Keweenaw National Historical Park Advisory Commission. Under current law, the commission is selected from nominees submitted by local government entities. This procedure raised Constitutional concerns over the Appointments Clause because the statute directs the Interior Secretary to appoint to the commission persons nominated by state and local officials. Thus, the bill restores the appointment authority to the secretary but allows local interests to nominate candidates for consideration. The bill was introduced by Mr. Stupak and was reported by the Resources Committee by voice vote on September 22.

H.R. 3036—Restoring Motor Carrier Enforcement Authority to the Federal Highway Administration restores the Federal Highway Administration’s authority to enforce federal truck safety laws. The FY 2000 Transportation Appropriations Act conference report (H.R. 2084; *H.Rept. 106-355*) included a provision that prohibits funds in the bill from being used to carry out the functions and operations of the Office of Motor Carriers & Highway Safety unless the office is transferred from the Federal Highway Administration. At press time, the president had not yet signed the measure. The measure suspends the provision and allows the agency’s enforcement authority to continue uninterrupted, until the enactment of authorizing legislation to transfer enforcement responsibilities to a separate agency within the Transporta-

tion Department. A CBO cost estimate was unavailable at press time. The bill was introduced by Mr. Shuster *et al.* and was not reported by a House committee.

S. 800—Wireless Communications and Public Safety Act requires the Federal Communications Commission (FCC) to use its existing numbering authority to designate 911 as the nationwide emergency number and directs the FCC to establish appropriate transition rules to implement the legislation. The bill includes a number of measures to provide the same liability protections to *wireless* carriers that are accorded to *wireline* telecommunications services carriers. In addition, the measure accords an individual using wireless 911 the same protection from liability that a user of wireline 911 has in a particular jurisdiction. The measure allows carriers to provide the information about a mobile phone user's call location to emergency dispatch providers and personnel to respond to the user's emergency call or to the user's immediate family in a life-threatening situation. The measure requires the customer's express prior authorization before disclosing location information to any other person. CBO estimates that enactment of S. 800 will have no significant impact on the federal budget. The Senate passed the bill on August 5, 1999.

H.R. 2130—Date Rape Drug Prevention Act enhances law enforcement efforts to control the distribution and abuse of certain "date-rape" drugs. Specifically, the bill amends the 1970 Controlled Substances Act (*P.L. 91-513*) to list (1) Gamma Hydroxybutyric Acid (GHB) (a central nervous system depressant) as a Schedule I drug, which is the DEA's most regulated drug category; (2) Ketamine (an animal tranquilizer) as a Schedule III drug; and (3) Gamma Butyrolactone (GBL—the chemical precursor to GHB) as a List I chemical, the DEA's most regulated chemical category. CBO estimates that enactment of H.R. 2130 will cost less than \$500,000 in FY 2000 and about \$7 million over the FY 2001-2004 period, subject to the availability of appropriations. The bill was introduced by Mr. Upton and the Commerce Committee reported H.R. 2130 by voice vote on September 27, 1999.

Additional Information: See *Legislative Digest*, Vol. XXVIII, #29, October 8, 1999.



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